In re Application of: Frengut, Renee
Serial No. 09/883,590
Reply to Office action of May 4, 2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1. (currently amended) ~~In a programmed computer, a method for dynamically selecting a set of candidates over a distributed computer network for inclusion in a market research group,~~ A method for conducting a market research study over a distributed network with one or more participants, said method comprising~~,~~ the steps of:

(a) selecting one or more participants for a market research study ~~acquiring market research data on potential candidates, the potential candidates connecting to the programmed computer across the distributed computer network~~;

(b) selecting a moderator for conducting the market research study;

(c~~b~~) providing each of said one or more participants and said moderator ~~the potential candidates~~ with an audio/video capture mechanism that is connectable to a machine that permits two-way communication across a ~~the~~ distributed ~~computer~~ network and capturing audiovisual two way communications between and among the participants ~~potential candidates~~ and between and among the participants ~~potential candidates~~ and the moderator ~~programmed computer~~;

~~(c) evaluating the acquired market research and audiovisual communication data against a template;~~

(d) conducting a market research study over the distributed network by acquiring audiovisual communication data and responses from the participants based on questions asked by the moderator to the participants over the distributed network ~~selecting a set of candidates in response to the evaluating step, the set of candidates being fewer than the set of potential candidates and being selected to fit the template in accordance with a predefined preference;~~

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~~(e) permitting additional market research and audiovisual communication data from additional potential candidates to be acquired across the distributed computer network; and~~

~~(f) repeating steps (c) through (e), so that the permitting step acquires market research data until a time certain, the evaluating step evaluates the market research data at one or more given times which occur before the time certain, and the selecting step dynamically selects the set of candidates so as to fit the predefined preference at each given time and optimally fit the predefined preference at the time certain.~~

Claims 2-4. (canceled)

Claim 5. (currently amended) The method as in claim 32 ~~4~~, including, the additional steps of: paying each participant a first sum for participating in the market research study; and paying a non-<u>selected</u> ~~overlapping~~ remainder portion of the ~~set of~~ candidates a second sum which is less <u>in monetary amount</u> than the first sum.

Claim 6. (canceled)

Claim 7. (currently amended) The method as in claim <u>1</u> ~~4~~, including, the additional conducting step of: displaying a stimulus to the participants across the distributed ~~computer~~ network; and, receiving participant response to the stimulus across the distributed ~~computer~~ network.

Claims 8-9. (canceled)

Claim 10. (currently amendedl) The method as in claim 7, including, the additional step of officiating a follow-up interview with a participant, wherein the moderator display<u>s</u> additional stimulus and receives additional participant response in response to the additional stimulus.

Claim 11. (original) A method as in claim 1 which further comprises the additional step of disseminating information between the set of candidates and a client at the given time.

Claim 12 (currently amended): A method for conducting a market research study from a host machine over a distributed ~~computer~~ network, comprising~~,~~ the steps of:

~~Selecting~~ <u>selecting</u> a set of candidates to participate in a market research study~~,~~ ~~the set of candidates being fewer than all candidates and being selected so as to fit a predefined preference of a template at each of one or more given times and being selected~~

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~~so as to optimally fit the predefined preference at a time certain which occurs after the given times~~;

inviting the set of candidates to the market research study conducted during a predetermined time interval and conducted over a distributed ~~computer~~ network, wherein the candidates access the host and/or each other using a respective user machine interface having an audio/video two-way communication mechanism connected thereto, <u>wherein each user machine is located geographically remote from the host</u>;

initiating two-way audio/video communication between and among the host and/or the <u>geographically remote</u> user machines with at least a set of participants comprising a first portion of ~~a~~ <u>the</u> set of candidates, during the predetermined time interval in substantially real time;

exhibiting <u>over the distributed network</u> a stimulus to the participants; and

accumulating participant responses to the stimulus over the distributed network at the host.

Claim 13. (currently amended) The method of conducting a market research study as in claim 12, including, the additional step of verifying a presence <u>of</u> each participant throughout the market research study.

Claim 14. (currently amended) The method of conducting a market research study as in claim 13, including,~~2~~ the additional step of paying the verified participants a first sum for participating in the market research study and paying a non-overlapping remainder portion of the set of candidates a second sum which is less <u>in monetary amount</u> than the first sum.

Claim 15. (original) The method of conducting a market research study as in claim 12, including, the additional step of officiating a follow-up interview with a particular participant subset.

Claim 16. (currently amended) The method of conducting a market research study as in claim 12, including, the additional step of selecting groups of participants for a predetermined stimulus, wherein the predetermined stimulus is <u>shown</u> to the participant group.

Claim 17. (currently amended) The method of conducting a market research study as in claim 12, including, the additional step of dynamically selecting a particular

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stimulus <u>for transmission over the distributed network to the participants</u> in response to prior participant responses.

Claim 18. (original) The method of conducting a market research study as in claim 12, including, the additional step of tabulating results of the market research study.

Claims 19-20. (canceled)

Claim 21 (currently amended): A system for conducting a market research study <u>with one or more participants</u> over a distributed ~~computer~~ network, comprising:

~~A~~ <u>a</u> ~~processor configured to select users to participate in a market research study at a given time in accordance with a predefined preference stored in a template an which at a time certain selects users in accordance with a best fit of the predefined preference to ensure an optimal set of users;~~

a moderator device having distributed ~~computer~~ network access, an audio/video two-way communication mechanism, and an input mechanism wherein moderators submit stimulus to, and conduct two-way audiovisual communications with, users across the distributed ~~computer~~ network;

a user device <u>for each user</u> having distributed ~~computer~~ network access, an audio/video two-way communication mechanism, and an input mechanism wherein users submit market research responses <u>over the distributed network</u> in response to the moderator's submitted stimulus and conduct two-way audiovisual communications <u>over the distributed network</u> with the moderator and other users<u>, wherein each user device is located geographically remote from the moderator device</u>; and

a host machine communicating over the distributed ~~computer~~ network and having a database accumulating user responses to the moderator's submitted stimulus and to the audiovisual communications with the moderator and other users, a storage medium accumulating recordings of the audiovisual communications between and among the moderator and other users, a processor evaluating user responses, and an engine outputting market research results.

Claim 22. (currently amended) The system as in claim 21, further comprising, a sponsoring client device having distributed ~~computer~~ network access wherein a sponsoring client accessing the market research study at a given time observes the

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submitted moderator stimuli, the submitted user responses, and audio/video two-way communications between and among one or more users and the moderator.

Claim 23. (canceled)

Claim 24. (previously presented) The system as in claim 21, wherein a user working from the user device further observes an audiovisual image of the user.

Claim 25. (previously presented) The system as in claim 21, wherein a user working from the user device further conducts two-way audiovisual communications with one or more other users.

Claim 26. (original) The system as in claim 21, wherein the user working from the user device further observes a set of submitted participant responses.

Claims 27-31 (canceled)

Claim 32 (new) The method of claim 1 wherein said participants are selected from a group of candidates.

Claim 33 (new) The method of claim 1 further comprising the step of transmitting the audiovisual market research study to a client who has selected the moderator to conduct the market research study.

Claim 34 (new) The method of claim 33 wherein the step of transmitting is a substantially real time transmission of the market research study over the distributed network to a client's device in communication with the distributed network.

Claim 35 (new) The method of claim 33 wherein the step of transmitting consists of the steps of recording an audiovisual record of the market research study and delivering the audiovisual record to the client.

Claim 36 (new) The method of claim 12 wherein a number of candidates selected being fewer than all candidates available for selection.

Claim 37 (new) The method of claim 1 wherein said distributed network is a distributed computer network.

Claim 38 (new) The method of claim 12 wherein said distributed network is a distributed computer network.

Claim 39 (new) The system of claim 21 wherein said distributed network is a distributed computer network.